

ARTICLE 11 – SECURITY AND SAFETY

112-11-1. Definitions. As used in regulations concerning security and safety, unless the context otherwise requires:

(a) "Ambulance" means any aircraft or motor vehicle, whether privately or publicly owned, that is specially constructed, equipped and intended to be used for the purpose of transporting sick, injured, disabled or otherwise incapacitated human beings.

(b) "Basic course" means a training course for security guards given before they assume their official duties.

(c) "Continuing education" means refresher training given to security guards annually.

(d) "Firearms course" means a training course that includes instruction on the use of deadly force and that is conducted by a person who has completed a firearms instructor's course recognized by the Kansas law enforcement training commission.

(e) "First aid course" means any of the following officially recognized courses: red cross advanced first aid course, emergency medical technician course or emergency medical services first responder course.

(f) "Security guard" means a person whose principal duty is to protect persons or property at a racetrack facility licensed by the commission. (Authorized by and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

112-11-2. Minimum requirements for security guard. (a) Each person who is licensed by the commission as a security guard shall have met the following requirements before licensure:

(1) Be a citizen of the United States or otherwise legally reside in the United States;

(2) complete a comprehensive written application approved by the commission;

(3) submit to a background investigation conducted by the director of security, director of the Kansas bureau of

investigation or other person designated by the commission. Each applicant shall execute and verify a personal background disclosure form provided by the commission and fully cooperate in any investigation it may undertake;

(4) undergo a thorough medical assessment conducted by a person licensed to practice medicine and surgery;

(5) demonstrate by the medical assessment that the individual is free from any physical defect that might adversely affect the applicant's performance as a security guard;

(6) undergo a personality stability evaluation conducted by a professional psychologist approved by the commission if the security guard will carry a firearm while on duty;

(7) demonstrate by the evaluation that the individual is free from any emotional or mental condition that might affect the applicant's performance as a security guard;

(8) pass an oral examination approved by the commission's director of security and conducted by the organization licensee's director of security; and

(9) demonstrate by the oral examination that the applicant possesses adequate communication skills to clearly convey information and instructions to the public at a racetrack in regular and emergency situations.

(b) Each organization licensee's director of security shall submit a proposed text of the oral examination to the commission's director of security for approval each year not later than 90 days before the first day of the race meet that the organization licensee proposes to conduct. (Authorized by K.S.A. 1988 Supp. 74-8804; implementing K.S.A. 1988 Supp. 74-8804, K.S.A. 1988 Supp. 74-8816; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended March 19, 1990.)

112-11-3. Security guard license. Each security guard shall be licensed as an

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occupation licensee and shall pay the fee approved by the commission. (Authorized by K.S.A. 1988 Supp. 74-8804; implementing K.S.A. 1988 Supp. 74-8804, 74-8816; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended March 19, 1990.)

112-11-4. Basic course for security guard.

(a) Each security guard applicant shall submit to the commission satisfactory proof, upon a form approved by the commission, that the applicant has successfully completed a basic course that includes at least 40 hours of instruction in the following areas:

- (1) Kansas criminal statutes;
- (2) Kansas parimutuel racing act, K.S.A. 1987 Supp. 74-8801 et seq., and amendments to it;
- (3) criminal procedure;
- (4) constitutional rights;
- (5) human behavior;
- (6) security operations and procedures;
- (7) first aid;
- (8) firearms;
- (9) defense tactics;
- (10) report writing;
- (11) court and administrative procedures; and
- (12) emergency procedures.

(b) Any security guard applicant's instruction in a subject area listed in subsection (a) may be waived by the commission if the applicant has been certified by the Kansas law enforcement training commission or if the Kansas law enforcement training commission notifies the commission that the individual is eligible for certification by the Kansas law enforcement training commission.

(c) Each organization licensee's director of security shall be responsible for the instruction of each security guard applicant in the subject areas listed in subsection (a) using resources, training personnel and standards approved by the commission. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A.

1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, K.S.A. 1987 Supp. 74-8816, as amended by L. 1988, Ch. 316, Sec. 4; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

112-11-5. Continuing education for security guard. (a) Each security guard's license shall not be renewed unless the licensee furnishes the commission proof that the licensee has successfully completed at least 20 hours of continuing education within the 12 months before the renewal date in the following areas:

- (1) Physical protection;
- (2) laws of arrest;
- (3) constitutional law;
- (4) handling of citizen complaints;
- (5) firearms training;
- (6) fire safety;
- (7) evacuation plans; and
- (8) first aid.

(b) Each organization licensee's director of security shall submit to the commission's director of security a detailed outline of the continuing education courses and a description of the instructors' credentials before any security guard may receive credits for participating in continuing education. Continuing education credits shall be granted at the rate of one hour for each 50 minutes of instruction.

(c) Continuing education courses shall be approved by the commission's director of security based on their relevance to the knowledge, skills and abilities needed for security guards. Each Kansas law enforcement training commission course shall qualify for continuing education credits. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; K.S.A. 1987 Supp. 74-8816, as amended by L. 1988, Ch. 316, Sec. 4; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

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112-11-6. Standards of conduct for security guard. (a) Each security guard who carries a firearm shall comply with the provisions of K.S.A. 1988 Supp. 74-5607a and amendments to it or commission security guard training requirements. Each security guard who carries a firearm shall comply with any local ordinances that may apply.

(b) Each security guard shall not:

(1) Use unreasonable force;

(2) obstruct, hinder, interfere or prevent an investigation by the commission or any law enforcement agency; or

(3) be on the backside unless engaged in official duties during an assigned tour of duty or unless authorized by track security to enter. (Authorized by K.S.A. 1988 Supp. 74-8804; implementing K.S.A. 1988 Supp. 74-8804, 74-8816, 74-8810(e)(2); effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended March 19, 1990.)

112-11-7. Security guard and other law enforcement cooperation. Each security guard shall cooperate fully with federal, state and local law enforcement agencies that have jurisdiction to enforce the criminal laws and regulations at racetrack facilities. Each security guard shall submit a racetrack incident report for each crime or violation of commission regulations suspected, investigated or prevented at a racetrack facility to the organization licensee's director of security. The organization licensee's director of security shall file two copies of the report with the commission, and a copy of incident reports relating to crimes with the designated local law enforcement agency within 24 hours of the incident's occurrence or discovery of its occurrence. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended March 19, 1990.)

112-11-8. Written security and safety procedures manual. (a) Each organization

licensee shall file a written security and safety procedures manual with the commission for approval not later than 120 days before the first day of the race meet that the organization licensee proposes to conduct. Each security and safety procedures manual shall include all information required in K.A.R. 112-3-14 and any additional information required by the commission in article 112 of the Kansas administrative regulations.

(b) Each organization licensee shall maintain a comprehensive security and safety plan for its premises. Each security and safety plan shall be detailed in the written security and safety procedures manual.

(c) Each organization licensee's security and safety procedures manual shall be subject to periodic review and approval as determined by the commission or the commission's director of security.

(d) Each licensee's security and safety procedures manual shall be filed with the commission as confidential security information. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3 and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, K.S.A. 1987 Supp. 74-8813, as amended by L. 1988, Ch. 319, Sec. 1; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

112-11-9. Physical requirements for premises security. (a) Each organization licensee shall include in its security and safety procedures manual a detailed description of the physical elements of its security plan, including a schematic floor plan.

(b) Each description shall include the location and type of:

(1) Fencing and barbed wire;

(2) security office;

(3) buildings, gates, doors, locks, hinges, ceilings, skylights, walls, windows and furnishings;

(4) parking lots, including size;

(5) loading docks or loading zones;

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- (6) access roads;
- (7) landscaping;
- (8) exterior lighting;
- (9) interior lighting;
- (10) main electrical switches, fuses, or circuit breakers;
- (11) emergency power system and its service area;
- (12) safe or vault, or both, including rating and anchor system;
- (13) parimutuel wagering equipment;
- (14) utility control points;
- (15) attics, basements, crawl spaces, air conditioning and heating ducts, including sizes;
- (16) elevators and stairs;
- (17) fire protection devices;
- (18) alarm systems;
- (19) surveillance systems;
- (20) roof access; and
- (21) trash storage. (Authorized by K.S.A. 1988 Supp. 74-8804; implementing K.S.A. 1988 Supp. 74-8804, 74-8813; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended March 19, 1990.)

112-11-10. Identification and credentials.

(a) Each person shall not be admitted to a restricted area without a license issued by the commission or a visitor's pass. Visitors' passes may be issued by the organization licensee in accordance with procedures outlined in the written security and safety procedures manual. Each license or visitor's pass shall be prominently attached to an outer garment. Each jockey shall not be required to display a license when riding in a race.

(b) Each license or visitor's pass shall be used only by the individual to which it was issued. Licenses and visitors' passes shall not be loaned to any other person.

(c) This regulation shall not prevent a law enforcement officer or other public safety official when on duty or an individual authorized by the commission from entering a restricted area.

(d) The restricted areas at a racetrack facility shall be as follows:

- (1) Administrative offices, if labeled a restricted area;
- (2) the backside;
- (3) behind the mutuels line;
- (4) commission offices;
- (5) the concessions work area;
- (6) the delivery areas;
- (7) the detention barn;
- (8) the infield, if labeled a restricted area;
- (9) the jockeys' room;
- (10) the judges' stand and photo finish;
- (11) the kennel compound;
- (12) the lockout kennel;
- (13) the owners' and trainers' lounge;
- (14) the lure operator's office;
- (15) the money room;
- (16) the mutuels room;
- (17) the paddock;
- (18) the press box;
- (19) the printing office;
- (20) the security office and detention room;
- (21) stables;
- (22) the starting gate and boxes;
- (23) the stewards' stand;
- (24) the test areas;
- (25) the totalisator;
- (26) the track;
- (27) the vault;
- (28) veterinarian offices; and
- (29) the video patrol.

(e) Each security and safety procedures manual shall describe the procedure for issuing a license or visitor's pass. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended March 19, 1990.)

112-11-11. Access to restricted areas. Each organization licensee shall prevent access to and shall remove or cause to be removed from its restricted areas any person who is unlicensed or who has not been issued a

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temporary visitor's pass or whose presence in the restricted area is unauthorized. The provisions of this regulation shall not prevent a public safety official when on duty or an individual authorized by the commission from entering a restricted area. (Authorized by and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

112-11-12. Search and seizure. (a) Each applicant who secures an occupation license shall be deemed to consent, as a condition of the license, to a search without warrant, by the commission's security personnel or by the agents of the Kansas bureau of investigation, of:

- (1) The licensee's person while the licensee is within the racetrack facility; and
- (2) the licensee's personal property or work area that is within the racetrack facility.

(b) Each applicant who secures a concessionaire license shall be deemed to consent, as a condition of the license, to the conduct of a search without warrant of the licensee's work area and personal property and the persons of its owners, officers and employees by the commission's security personnel or by the agents of the Kansas bureau of investigation while the licensee is engaged in business within the racetrack facility.

(c) Each occupation licensee's or concessionaire licensee's consent to a search shall apply only to the commission's security personnel or agents of the Kansas bureau of investigation investigating possible criminal violations of the Kansas racing act or these racing regulations.

(d) Each agency conducting a search without warrant in compliance with this regulation shall provide the licensee searched with a post-search written notice and receipt of:

- (1) Date and time of search;
- (2) places and items searched; and
- (3) items seized.

(e) When an agency, in compliance with this regulation, is to search an area containing racing animals, the agency shall, to the extent permitted by the circumstances, provide notice to the person responsible for the area so that this person can observe the search. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, 74-8816, 74-8817; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended March 19, 1990).

112-11-13. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; K.S.A. 1987 Supp. 74-8816, as amended by L. 1988, Ch. 316, Sec. 4; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; revoked, T-112-8-13-92, Aug. 13, 1992; revoked, T-112-12-10-92, Dec. 10, 1992; revoked Feb. 15, 1993.)

112-11-13a. Human controlled substance and alcohol testing; procedure; prohibited levels; penalties; confidentiality. (a) If directed by a steward, racing judge, the executive director, or a commission employee with law enforcement powers under K.S.A. 1995 Supp. 74-8807, and upon reasonable suspicion of intoxication or impairment while actively engaged in employment, an occupation licensee shall submit to a breath or a urine test, or both. No occupation licensee shall have a blood alcohol content of .05 percent or more. No occupation licensee's urine test shall indicate the presence of any controlled substance as defined by K.S.A. 1995 Supp. 65-4101.

(b) The stewards or racing judges shall suspend a licensee whose breath test indicates a blood alcohol content of .05 percent or more in accordance with the provisions of K.S.A. 74-8816(h).

(c) The stewards or racing judges shall suspend a licensee whose urine test indicates

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the presence of a controlled substance in accordance with the provisions of K.S.A. 74-8816(h).

(d) The stewards or racing judges shall suspend a licensee who refuses to submit to a breath or urine test, or both, in accordance with the provisions of K.S.A. 74-8816(h).

(e) Suspensions authorized by this regulation shall not be subject to the stay provisions of K.A.R. 112-16-11.

(f) Information elicited in the process of breath or urine testing shall be treated as confidential, except as necessary for any administrative or judicial proceeding. (Authorized by and implementing K.S.A. 1995 Supp. 74-8804 and K.S.A. 74-8816; effective, T-112-8-13-92, Aug. 13, 1992; effective, T-112-12-10-92, Dec. 10, 1992; effective Feb. 15, 1993; amended Aug. 9, 1996.)

112-11-14. Ambulances and first aid station.

(a) Each organization licensee shall provide at least one ambulance on the premises of the horse racetrack facility. Each ambulance shall be staffed and on duty during horse training periods and the scheduled horse races. Each ambulance shall have a Kansas board of emergency medical services Type I or Type II ambulance permit.

(b) Each organizational licensee shall close the track to horses unless the required ambulance service is present at the racetrack facility.

(c) Each ambulance shall have ready access to all parts of the track in each horse race run.

(d) For horse race meetings, each organization licensee shall provide a staffed horse ambulance each day horses are on the racetrack with the capability of:

(1) Being lowered to the ground and having an adequate means of loading a horse that is down, which may include a large piece of matting or belting that the horse can be rolled onto and a power winch capable of pulling the mat and horse into the ambulance;

(2) having large portable screens adequate to shield a horse from public view; and

(3) transporting an injured horse to a designated area for emergency treatment or euthanasia, or to a necropsy stall.

(e) When necessary, each organization licensee shall dispose of dead horses expediently.

(f) Each organization licensee shall provide a first aid station on the premises of the racetrack facility. Each first aid station shall be staffed and operational during each scheduled horse or greyhound race.

(g) Each first aid station shall be staffed by at least one emergency medical technician and be equipped with the medical equipment and supplies required in a type II ambulance. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804, 74-8813; effective, T-112-2-23-89, Feb. 23, 1989; effective June 16, 1989; amended March 19, 1990.)

112-11-15. Fire prevention. Each organization licensee shall submit plans and specifications for fire prevention to the Kansas state fire marshal and any required local authorities for approval before commencement of construction, remodeling or alteration of any location at a racetrack facility. Each organization licensee shall submit to the commission's director of security documentation of fire inspection compliance. Each organization licensee shall post in a conspicuous place the fire regulations applicable to the stable area or kennel area, or both, the fire regulations applicable to all other locations and any other notice required by the Kansas state fire marshal and any local authorities. (Authorized by K.S.A. 1988 Supp. 74-8804; implementing K.S.A. 1987 Supp. 74-8804, 74-8813; effective, T-112-2-23-89, Feb. 23, 1989; effective June 16, 1989; amended March 19, 1990.)

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112-11-16. Smoking in the shedrow and the kennels. (a) Smoking shall be prohibited in each shedrow, stall or feed storage area inside a barn.

(b) Smoking shall be prohibited in each kennel building. (Authorized by and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

112-11-17. Emergency procedures. (a) Each organization licensee shall submit a comprehensive emergency procedures and evacuation plan as part of the security and safety procedures manual.

(b) Each emergency procedure and evacuation plan shall describe potential emergencies and the planned response to the emergency situation.

(c) Each organization licensee shall plan and execute a rehearsal of all emergency procedures and responses before the first performance of each race meet each year and at any other time required by the commission's director of security. Each rehearsal shall be approved and observed by the commission's director of security or the director of security's designee. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, K.S.A. 1987 Supp. 74-8813, as amended by L. 1988, Ch. 319, Sec. 1; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

112-11-18. Obedience to security guards and commission representatives. Each licensee and individual at a racetrack facility shall not willfully ignore or refuse to obey or interfere with any order issued by the commission, the commission's representatives, the stewards or racing judges, any security guard of the facility or any law enforcement officer or other public safety official when the order is given in the performance of duty.

(Authorized by and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

112-11-19. Racetrack safety standards, horse race meets. (a) Unless excused by the commission for good cause, each organization licensee shall meet the following racetrack standards at horse race meets.

(1) Each racing surface shall have inner and outer rails.

(2) Each rail shall:

(A) Be constructed of a material that will bear the impact of a horse without breaking away;

(B) be maintained at a height that measures 40" from the top of the cushion to the top of the rail;

(C) be bolted or welded to the rail posts; and

(D) have a smooth surface.

(3) Each rail post upon which inner and outer rails are mounted shall:

(A) Be set in concrete at least 6" below the racetrack surface and at least 24" deep; and

(B) have a continuous smooth cover over the posts.

(4) Each gate opening in a rail, including the gap, shall:

(A) Have the same appearance as the rest of the rail;

(B) be less than 10 feet in length unless it has a center support;

(C) have a top gate rail that is secured to the top of the rail for which the gate provides an opening;

(D) except for "on" and "off" gates during training, be closed during racing and training; and

(E) if an "on" or "off" gate, be placed at 50-foot intervals.

(5) Each starting gate used for morning schooling shall be placed far enough from the "on" and "off" gates so that horses entering and leaving the track will not

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interfere with or distract horses in schooling or breaking from the gate.

(b) Each distance pole marker, electrical box, timer, starters' stand, patrol judges' stand or other obstacle or device shall be placed more than 15 feet from the back of the bottom of the rail post.

(c) Each drainage ditch or hole within 15 feet of the back of the bottom of the inside rail shall be covered with a soft material installed level with the ground surface that will not allow a horse or jockey to fall below the level of the ground surface.

(d) Each racetrack lighting system for nighttime racing shall have an operational emergency generator back-up system that is serviced and tested at least once each month during the race meet. The results of each test shall be documented in a written report that shall be submitted to the commission within 24 hours.

(e) Each organization licensee that has 21 or more race days per year shall have a safety committee.

(1) Each safety committee shall be made up of two representatives from the management of the organization licensee, two representatives from the jockeys riding at the track, two representatives from the "horsemen" registered in the racetrack office and at least one of the stewards.

(2) Each safety committee shall identify unsafe conditions at the racetrack facility and recommend remedies in writing to the organization licensee, the executive director and the commission.

(f) For each scheduled race, the starting gate shall be placed at an approximately equal distance from the outside rail and the inside rail. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, K.S.A. 74-8813, as amended by L. 1988, Ch. 319, Sec. 1; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989.)

112-11-20. Greyhound racetrack facility safety standards; specifications; prohibition of chemical use on track surface. (a) Each greyhound racetrack shall have the following:

(1) A minimum width of 20 feet with inside and outside fixed curbs at a specified slope in the outside curb;

(2) a first turn radius of 128 feet, with a second turn radius of 118 feet, and straightaways of 279.6 feet;

(3) a graduated minimum bank of 1 1/2 inches to each 12 inches on each turn;

(4) the 5/16 mile starting box set back in a chute;

(5) a water pumping system providing adequate volume and pressure to uniformly hand water the entire racing surface, as needed. Automatic sprinkling systems may be used to complement, but shall not replace, the hand watering system;

(6) automatic openers with a manual backup for each starting box;

(7) one curtain placed at least 50 feet before the escape and one curtain placed 25 feet beyond the escape and placed so as not to distract greyhounds while they are racing;

(8) an inside lure with an extendible arm;

(9) a commission-approved track base that is nonabrasive to a greyhound's feet and that has adequate track drainage and proper resiliency;

(10) unless otherwise approved by the commission in open meeting and upon the commission's determination that this approval would be in the best interest of racing, a closed-fluid winterization system extending from the starting boxes to the entire width and length of the track; and

(11) a video monitoring system with a monitor in the judges' room and trainers' lounge that permits the racing judges and trainers to view the activities in the lockout kennel, the movement of the lead outs and greyhounds from the lockout kennel to the starting boxes, and the activities at the starting boxes.

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(b) Unless otherwise approved in advance by the commission in open meeting and upon the commission's determination that this approval would be in the best interest of racing, chemicals shall not be applied to the racing surface of a greyhound racetrack.

(c) Each lockout kennel shall have the following:

(1) Soundproofing, including masonry construction, that prevents the greyhounds from being disturbed by outside noises;

(2) crates located at floor level, unless otherwise approved by the commission;

(3) crates of molded fiberglass or metal with the following:

(A) Removable wooden floors;

(B) minimum inside dimensions of 36 inches wide, 42 inches deep, and 36 inches high;

(C) closed crate doors that leave one inch of clearance at top, bottom, and latching sides that protect the greyhound's tail and feet from injury; and

(D) drop latches or comparable latches that prevent hazard to the greyhounds;

(4) a design providing for partitions to separate each crate if this is desired by the majority of the kennels booked at that meet;

(5) a sufficient number of crates to house the greyhounds required to schedule 13 races. A second weigh-in shall be held as soon as crates are available during performances with more than 13 races;

(6) a climate control system that can maintain a temperature between 68 and 75 degrees Fahrenheit; and

(7) an area equipped with heating and air-conditioning where greyhounds and trainers may wait to weigh in.

(d) Each organization licensee shall provide a cool-out area that shall have a minimum of four water faucets with hoses and a dipping vat through which greyhounds may be walked to quickly cool them after racing. Each organization licensee shall change the water in the vat at least daily and prevent muddy residue from accumulating around the vat.

(e) Each organization licensee shall provide the following:

(1) A covered walkway from the parking area to the lockout kennel; and

(2) a covered walkway from the cool-out area to the parking area.

(f) Each kennel compound area shall have the following:

(1) Separate kennel buildings of masonry construction for each contract kennel;

(2) a location far enough away from the grandstand and racing areas that kenneled dogs are not disturbed by racetrack noises; and

(3) 24-hour security for the compound enclosure provided by the organization licensee during the official racing season.

(g) Each kennel building shall have the following:

(1) A partitioned kitchen area and crate area;

(2) minimum dimensions of 20 feet by 62 feet;

(3) at least two adjoining turnout pens meeting the following specifications for each kennel building:

(A) Is free of obstructions;

(B) measures at least 30 feet by 30 feet each;

(C) is equipped with interconnecting gates;

(D) is equipped with drainage and a water faucet in each;

(E) is lighted by at least two halogen lights of at least 300 watts each in each turnout pen, one at each end; and

(F) is surrounded by a chain-link fence that is at least six feet high;

(4) a 20-foot overhang that extends the length of the building;

(5) at least 12 inches of sand in turnout pens, which shall be removed and replaced by the organization licensee with new sand at least once every 12 months of racing;

(6) a gate in each turnout pen through which a vehicle may be driven to remove the sand and deposit new sand;

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(7) a fenced safety pen eight feet wide, located between the parking area and turnout pens and equipped with gates, to facilitate the moving of greyhounds directly between the parking area and the turnout pens;

(8) a maximum of 60 crates or, with the prior approval of the animal health officer, a maximum of 72 crates;

(9) metal crates with compartments that are at least 36 inches wide, 42 inches deep, and 36 inches high and equipped with drop latches and casters;

(10) not more than 72 greyhounds housed in each kennel building with not more than one greyhound in each crate, unless the racing judges have approved a specific request otherwise;

(11) a kitchen area equipped with a hot water heater with a minimum capacity of 20 gallons, a deep sink of durable construction with a drain board, adequate shelving and cabinet space, and a shower and commode in an enclosed area;

(12) one floor drain in each crate area and one floor drain in each kitchen area;

(13) a climate control system that is capable of maintaining a temperature between 68 and 75 degrees Fahrenheit;

(14) smoke and temperature alarms in each kennel area connected to the compound security office and capable of alerting security of emergency conditions;

(15) emergency backup power adequate to provide continuous ventilation that will protect the greyhounds if a power failure occurs at any time during a racing season scheduled in the months of May through September;

(16) a fresh air ventilation system or at least four windows of approximately four square feet each that are equipped with screens and can be opened;

(17) lighting to adequately illuminate all areas inside the kennel;

(18) adequate space within the kennel building for each contract kennel to place a dog-walking machine and adequate floor space within the crate area for a hydrotherapy vat; and

(19) an on-line hookup for a telephone and a video monitoring system that permits the trainers to watch the races.

(h) Unless otherwise approved by the commission in open meeting and upon the commission's determination that this approval would be in the best interest of racing, each organization licensee shall provide sprint paths as follows:

(1) One sprint path measuring at least 16 feet by 350 feet, equipped with a common center fence, and heated by a closed-fluid winterization system extending the length and width of the sprint path;

(2) two open sprint paths measuring at least 20 feet by 500 feet;

(3) one all-weather surface road sufficient to operate a vehicle adjacent to each sprint path; and

(4) a sprint path surface, to which chemicals shall not be applied.

(i) Each sprint path shall be located so that sprint activity does not disturb the greyhounds in the kennel compound area. Each sprint path shall be available for use at all times, except during racing hours, and shall be equipped with side gates through which greyhounds can enter the path and a gate through which a kennel vehicle can be driven. (Authorized by K.S.A. 74-8804; implementing K.S.A. 74-8804, K.S.A. 74-8805, K.S.A. 74-8813, K.S.A. 74-8815; effective July 23, 1989; amended March 19, 1990; amended Aug. 9, 1996; amended June 22, 2001; amended March 14, 2003; amended Jan. 6, 2006.)

112-11-21. Prohibited acts. (a) When on the grounds of a racetrack facility, a person shall not:

(1) violate a federal, state or local criminal or civil law;

(2) unless authorized by the commission, possess a firearm or other dangerous weapon;

(3) damage or destroy property of the racetrack facility or adjoining facilities;

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(4) smoke in nonsmoking areas designated by the commission;

(5) unless authorized by the stewards or racing judges, communicate or attempt to communicate with a jockey or driver during racing hours, or attempt to gain entrance to the jockeys' and drivers' quarters at any time;

(6) fail to secure an occupation license if required for performance of duties at the racetrack facility;

(7) employ unlicensed personnel;

(8) alter or forge a prescription for medication for a racing animal;

(9) mark or alter any identification mark on any racing animal;

(10) unless authorized by the stewards or racing judges, use any radio transmitter or other transmitting device at a racetrack facility during a race meet;

(11) unless authorized by the commission, transmit or receive or attempt to transmit or receive wagering information through the use of a communication device; or

(12) participate in a race meet while suspended by the official racing body of any racing jurisdiction.

(b) When on the grounds of any racetrack facility where the licensee is employed, the following occupation licensees shall not wager or cause anyone to wager on their behalf at any time:

- (1) general manager;
- (2) executive director;
- (3) director of mutuels;
- (4) director of racing;
- (5) racing secretary;
- (6) lead out;
- (7) starter;
- (8) paddock judge;
- (9) clerk of scales;
- (10) clocker;
- (11) photo finish operator;
- (12) identifier;
- (13) lure operator;
- (14) brakeman;
- (15) horsemen's bookkeeper;

(16) chartwriter;

(17) placing judge;

(18) kennel master;

(19) patrol judge; and

(20) assistants to any of these positions.

(c) When on the grounds of any racetrack facility where the licensee is employed, the following occupation licensees shall not wager or cause anyone to wager on their behalf while on duty:

(1) jockey;

(2) jockey room attendant;

(3) mutuel employee;

(4) outrider;

(5) pony person;

(6) track superintendent;

(7) testing technician; and

(8) assistants to any of these positions.

(d) An occupation licensee shall not display the occupation license while wagering at any racetrack facility. (Authorized by K.S.A. 1993 Supp. 74-8804; implementing K.S.A. 1993 Supp. 74-8804 and 74-8810; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-2-15-91, Feb. 15, 1991; amended June 10, 1991; amended Sept. 6, 1994.)